

CIVIL CASE NO. 2:11cv22

Defendant.

[illegible]

ORDER OF REMAND

Sentence Four of 42 U.S.C. §405(g) provides, in pertinent part, that "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." The Defendant here has moved for reversal of his decision and for remand of this case for further administrative proceedings.

The Court finds that remand is appropriate. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). Upon remand to the Commissioner, the Appeals Council shall remand this case to the administrative law judge (ALJ) for further development of the record. Specifically, the Appeals Council will instruct the ALJ: (1) to reassess the medical opinions found in the record; (2) to review the medical evidence found in the subsequent application, and if necessary, obtain testimony from a medical expert to help assess the date of onset or if the Plaintiff meets or equals a listing; (3) to reassess Plaintiff's residual functional capacity and the credibility findings; and (4) to obtain supplemental vocational expert testimony.

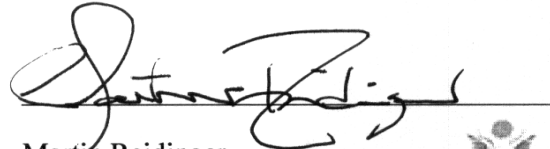
IT IS, THEREFORE, ORDERED that Defendant's Agreed Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant [Doc. 19] is **GRANTED**.

IT IS FURTHER ORDERED that the decision of the Commissioner of Social Security is hereby **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings, consistent with this Order.

The Clerk of Court shall enter separate Judgment of Remand simultaneously herewith. The Clerk of Court is notified that this is a final judgment closing the case.

IT IS SO ORDERED.

Signed: February 14, 2012


Martin Reidinger
United States District Judge

